

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

	:	X
BRISTOL COUNTY RETIREMENT SYSTEM,	:	
Individually and on Behalf of All Others Similarly	:	
Situated,	:	Electronically Filed
	:	
Plaintiff,	:	
	:	Civil Action No. 08-cv-05389 (JES)
vs.	:	(ECF Case)
	:	
EUROPEAN AERONAUTIC DEFENCE &	:	Hon. John E. Sprizzo
SPACE CO., NOEL FORGEARD, DR. THOMAS	:	
ENDERS, HANS PETER RING, JUSSI	:	
ITAVUORI, JEAN-PAUL GUT, FRANCOIS	:	
AUQUE and RALPH D. CROSBY JR.,	:	
	:	
Defendants.	:	
	:	
	:	X

AFFIDAVIT OF KEVIN BROTHERS

[illegible]

KEVIN BROTHERS, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside in Brooklyn, New York.

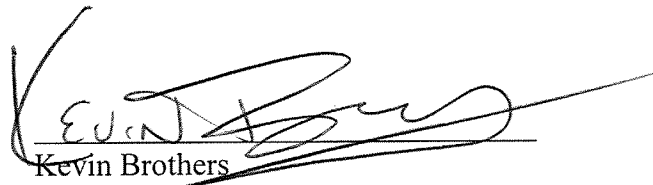
1. I work as a contract worker through Metropolitan Agency and was employed by Labaton Sucharow LLP ("Labaton") from June 9-13, 2008, as a firm messenger.

2. On the afternoon of June 12, 2008, I arrived at the S.D.N.Y. courthouse shortly before 5:20 PM to file case initiating papers in the above-captioned action through the night depository.

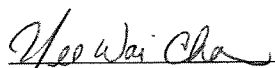
3. I watched as the security guard time-stamped a copy of the complaint and civil cover sheet. These documents were stamped "08 Jun 12 PM 5:21."

4. The security guard then took the other papers I was carrying and dropped them in the night depository. These papers included: original and one copy of the complaint, original and two copies of the Rule 7.1 Statement, original and two copies of the civil cover sheet, a check to cover the \$350.00 filing fee for starting an action, and one copy set of the aforementioned three documents and eight summonses, to be returned our office.

5. I returned to Labaton's offices and handed the stamped complaint and civil cover sheet, stamped "08 Jun 12 PM 5:21," to the paralegal assigned to this case.


Kevin Brothers

Sworn to before me this
27TH day of June, 2008.


Notary Public

Yee Wai Chan
Notary Public, State of New York
No. 01CH6068383
Qualified in Queens County
Commission Expires Dec. 31, 2009